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INTER-OFFICE MEMORANDUM

File No: 1000.01 (FC)

To: SRSB

From: FC

Info: DFC

Date: 31 January 1994

CASE NO. ICIR-98-41-T

EXHIBIT NO. DNF 169

DATE ADMITTED 22-11-2005

TENDERED BY DEFENCE

NAME OF WITNESS. BOOK BOOK

Subject: SECURITY SITUATION 31 JANUARY 1994

- References:
- A. 1000.01(FC) Dated 5 January 1994
 - B. Arusha Peace Agreement of 4 August 1993
 - C. UN Security Council Resolution 872 dated 5 October 1993
 - D. Kigali Weapons Secure Area Agreement dated 24 December 1993
 - E. Executive Seminar for Human Rights and Military Justice dated 10 January 1994
 - F. Military/Political Security Options dated 21 January 1994
 - G. UN Peacekeepers Handbook dated 1984

1. This memo is forwarded to provide an update on the present security situation since both my first report (Reference A) and my last analysis (Reference F). The aim of this paper is to seek your agreement to meet the urgent and essential requirement for UNAMIR Military and Civilian Police Forces to commence deterrence operations, in coordination with the RGF and the Gendarmerie on the one side, and the RPF Forces on the other side that are principally aimed at the recovery of illegal weapons throughout the country.

2. In the Arusha Peace Agreement of 4 August 1993 (Reference B) the Neutral International Force was tasked in Article 54 of the Protocol of Agreement on the Integration of the Armed Forces of the Two Parties " to assist in catering for the security of civilians", " to assist in tracking of arms caches and neutralization of armed gangs throughout the country" and to "assist in the recovery of all weapons distributed to, or illegally acquired by the civilians".

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3. Based on the recommendations of the Secretary-Generals report to the Security Council, in Resolution 872 of 5 October 1993 (Reference C) paragraph 3 (a) the Security Council tasked UNAMIR, as an essential part of its mandate, " to contribute to the security of the city of Kigali inter alia within a weapons-secure area established by the parties in and around the city".

4. On 24 December 1993, the parties signed the Kigali Weapons Secure Area (KWSA) agreement (Reference D). On 28 December 1993, the RPF Battalion and the RPF VIPs were moved without incident to Kigali. However, the Broad Based Transitional Government has not as yet been installed due to a political impasse.

5. The present security situation is deteriorating on a daily basis, as the political impasse in the establishment of the BBTG, heightens tensions and as many groups seem to be directing their activities to violent attacks on ethnic and political opponents. Since my last report, we have seen increasingly violent demonstrations, nightly grenade attacks, assassination attempts, political and ethnic killings, and we are receiving more and more reliable and confirmed information that the armed militias of the parties are stockpiling and may possibly be preparing to distribute arms to their supporters. If this distribution takes place it will be done only to commence more violent attacks and deteriorate the security situation even further. It will also create a significant danger to the safety and security of UN military and civilian personnel. In addition, we have witnessed a very determined propaganda campaign against UNAMIR. In violation of the modalities in Reference B regarding the use of the media, we have witnessed a journalist boycott of our briefings on the KWSA, lack of coverage of positive UNAMIR activities (ie the humanitarian medical operations of the Bangladesh Field Hospital and other hearts and minds operations by UNAMIR personnel), misquoting of UNAMIR Field Commanders (ie Col Marchal on 28 Jan 94), subversion of the international media (BBC reporter in Kigali at Rwanda Radio feeding slanted and biased reports to BBC) and in general a determined action to avoid covering UNAMIR operations or the UNAMIR point of view. Increasingly, the local media is being used by a faction to incite ethnic, partisan and anti-UNAMIR activities.

6. In addition to the deterioration of the present security and media situation, there has also been a noticeable deterioration of the psychological attitude of the RPF security forces in Kigali. This is no doubt due to the claustrophobic condition of being confined to an "island fortress". They are clearly displaying a siege or "in prison" mentality. They have on several recent occasions, especially on the 26 and 27 January 1994, overreacted to situations (ie firing an unjustified warning shot from the CND,

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breaking out or forcing their way out of the complex unescorted through the main gate, firing their weapons in the air while forcing their way through a road block etc), have displayed considerable but uncalled for frustration (threatening UNMOs due to a delayed escort, etc), have openly and knowingly violated the rules of the KWSA (ie. entering Kigali Sector Headquarters with weapons during a joint meeting on 27 January 1994) and by their comments to the use of arms (ie General Kagame to General Dallaire on 21 January 1994 that if the present political impasse is not settled soon "they will have to sort things out once and for all").

7. The above actions and reactions clearly demonstrate that the RPF is demonstrating a claustrophobic frustration with the present situation and more and more with UNAMIR (ie overreaction to Col Marchal's radio interview of 27 Jan 94 and meeting with FC on 29 Jan 94 in CND on several matters as described in notes published on 30 Jan 94), and may return to armed conflict as the means of achieving their political objectives.

8. For their part the RGF have demonstrated signs of preparing for a conflict. They attempted to resupply mortar ammunition by chartered aircraft on 21 January 1994 and have not been able to produce the supporting documentation that this was a pre-peace agreement order, leading us to believe they are stockpiling ammunition. The Chief of Staff of the Army was formally told by the FC that any other aircraft landing in Rwanda with war material on board will not be permitted to offload and will be ordered to leave the country immediately. There has been noticeable movement of troops as reported by our UNMOs from the Southern Sector to the area north of the KWSA, which indicated reinforcement of blocking positions north of Kigali. They have also requested, but have been refused permission to reinforce Kigali with elite commando troops from the Ruhengeri Sector even under the very lame excuse that they have resupply problems in the north and thus want to concentrate troops closer to the supply depots of Kigali. All of these indicators point to RGF preparations or posturing that could be analyzed as possible preparations for resumption of hostilities.

9. Should the present Kigali defensive concentration posture of UNAMIR be maintained, the security situation will deteriorate even further. We can expect more frequent and more violent demonstrations, more grenade and armed attacks on ethnic and political groups, more assassinations and quite possibly outright attacks on UNAMIR installations and personnel, as was done on the home of the SRSQ. This may result in UN casualties and will certainly even further force us on the defensive as we will be compelled to spread our precious few resources on defending UN property and personnel. When this situation develops, UNAMIR will

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have lost credibility as a means of bringing peace to Rwanda and we will risk moving into a "peacemaking" mode in order to restore the situation. We will also have few if any resources left to conduct deterrence operations as our troops will be confined to defensive tasks to protect UN personnel and facilities. If this happens, we will have lost the initiative to influence the security situation and thus will not be able to fulfill requirements of our mandate.

10. The present situation demands determined and selective deterrent operations, to show the parties, the leadership, the media and the general population that UNAMIR is doing all within its ability to conduct its mandate. It is in effect the only way we can demonstrate a credible capability to the parties apart from the very passive posture that we now hold in Kigali. These operations must be conducted with the cooperation, even if reluctant, of the RGF and more specifically the Gendarmerie, and the RPF Forces in their respective areas. We must push them into a position of cooperation with the provisions of the references. In addition, we require an adequately resourced public information campaign to include international media coverage, to operate a UNAMIR radio station and to conduct a local public information campaign by leaflet and possibly newspaper to regain the respect of the local population, to explain UNAMIR operations and to force the local media into honestly and accurately reporting on the present situation.

11. Our military targets must be confirmed arms caches and individuals who are known to have illegal weapons in their possession. These targets are fully within our mandate and the agreements we have concluded with the parties. These actions will result in a heightening of confidence of the parties, the gendarmerie, our troops, the media and the public with UNAMIR and will demonstrate our determination to be active proponents and activists in the search for peace in Rwanda, and not just observers to a continuing deteriorating situation. Delay in acting against these elements, however, may result in the distribution of arms to individuals which will only complicate our operations, endanger UN personnel and facilities and will not result in the large public relations coup that confiscating caches of arms will demonstrate to the public. These deterrence operations are in accordance with stated UN peacekeeping doctrine as outlined in Reference G Chapter 5. They will be conducted to not only fulfill the requirements of our mandate in recovering illegal arms, but they will be conducted to ultimately ensure the safety and continued operation of UN personnel and facilities in Rwanda. We must also exploit these operations with a public information campaign.

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12. The present reluctance to engage in deterrence operations seems to be based on political implications of such actions and on a fear of UNAMIR/Rwanda becoming UNOSOM/Somalia, or our operations changing from peacekeeping to peacemaking. All political parties and leaders endorsed the Arusha Peace Agreement and the mandate of UNAMIR. All parties clearly understand our assigned tasks in the area of recovery of illegal arms. No party is admitting to possession of illegal arms or distributing them. Therefore, if our operations are conducted against these caches and individuals, and if we do not publicly "attack" one of the parties, who will dispute our enforcement of our mandate? As an example, the Minister of Defence 10 days ago promised me the list of those who are authorized to have military type weapons in their possession. He was to give examples of authorized documents, and he was to suspend any more authorization of such activities. So far not only have we received absolutely nothing from the Minister, even after reminders were given to both his Chiefs of Staff, but we have been openly informed that the same Minister wanted more weapons to be distributed, including some directly from military magazines in the Kigali area. This situation is totally unacceptable and is a flagrant disregard of all the agreements signed so far.

13. Peacekeeping has long been based on several clear principles which are clearly articulated in Reference E. Deterrent operations do not imply offensive force. The same rules of engagement will be applied in these as in all other peacekeeping operations. UNAMIR forces will only use force in self-defence while exercising our mandate which includes the recovery of illegal arms.

14. UNAMIR forces will direct this operation towards a clearly defined, decisive and attainable objective namely, the recovery of illegal weapons.

15. UNAMIR forces will seek unity of effort with other forces, namely the Gendarmerie, in this operation.

16. UNAMIR forces will retake the initiative by denying hostile factions acquiring an unexpected advantage, namely arms distribution.

17. UNAMIR forces will use its military capability with restraint by adhering to our stated rules of engagement based on use of force as a last resort and in self-defence.

18. UNAMIR forces will be prepared for the measured and protracted application of military capability in support of the aim of recovering illegal arms.

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19. UNAMIR forces will recover and sustain the support of the population by enhancing security in Kigali through the recovery of illegal arms.

20. Outlined above are the application of principles of peacekeeping and how they will be applied to an deterrent arms recovery operation in support of the Arusha Peace Agreement, the Mandate of UNAMIR and the KWSA Agreement.

21. Each day of delay in authorizing deterrent arms recovery operations will result in an ever deteriorating security situation and may if the arms are distributed result in an inability of UNAMIR to conduct its mandate. We must, in a determined and overt manner regain the initiative and the respect and support of the parties if this mission is to succeed. We must also in a determined and resourced manner commence an offensive public information campaign to win the hearts and minds of the local population and the international media. In accordance with the recommendations of the Technical Report the military division desperately needs a full-time public information officer to coordinate this campaign and the budget must contain sufficient financial resources to support this campaign (ie Radio Station and printing facilities and resources).

22. Due to the sensitive nature of these concerns and the recommended actions that the FC proposes, it may be appropriate to seek once again guidance or accord from UNHQ New York.



R. A. Dallaire
Brigadier-General
Force Commander

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